

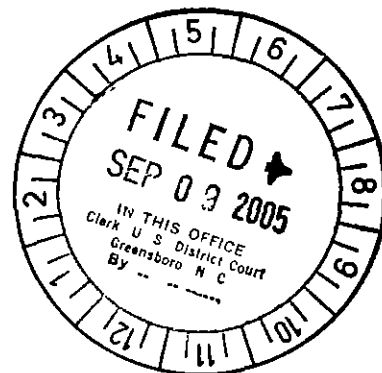
UNITED STATES DISTRICT COURT  
Middle District of North Carolina

CHARLETTE M JENKINS,  
Plaintiff,

v

JO ANNE B BARNHART,  
Commissioner of Social Security,  
Defendant

#1 04CV548



**O-R-D-E-R**

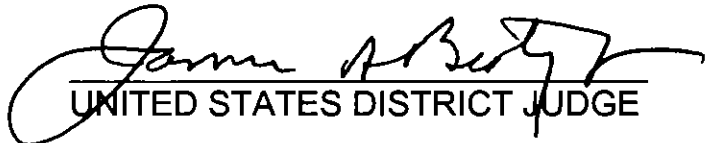
On May 17, 2005, in accordance with 28 U S C § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action and a copy was given to the court

Within the time limitation set forth in the statute, counsel for Plaintiff objected to the Recommendation

The court has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation

**IT IS THEREFORE ORDERED** that the Plaintiff's motion for summary judgment [Pleading no 11] be **DENIED**, that the Commissioner's motion for judgment on the pleadings [Pleading no 13] be **GRANTED**, that the

Commissioner's decision is **AFFIRMED**, and that this action be dismissed with prejudice. A Judgment dismissing this action will be entered contemporaneously with this Order.

  
UNITED STATES DISTRICT JUDGE

DATE September 9, 2005